

FEB 14 2007

400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343 - Telephone  
(516) 742-4366 - Facsimile  
E-mail: [intprop@ssmp.com](mailto:intprop@ssmp.com)

**SCULLY, SCOTT, MURPHY  
& PRESSER, P.C.**

# Fax

**To:** Examiner Francis K. Jaworski  
Art Unit: 3768

**From:** John F. Vodopia

**Fax:** 571-273-8300

**Pages:** 9 pages including cover sheet

**Phone:** 571-272-4738

**Date:** August 24, 2006

**Re:** Confirmation No: 4119  
USSN: 10/658,477  
Our Docket: 14109Z

**CC:**

## RESPONSE TO FINAL OFFICE ACTION

The following is being filed with the U.S. Patent and Trademark Office via facsimile on February 14, 2007:

1. Response Under 37 C.F.R. §1.116
2. Authorization to Charge Deposit Account 19-1013
3. Certificate of Facsimile Transmission

Applicants: Kenji Hirooka, et al.  
Serial No.: 10/658,477  
For: ULTRASONIC PROBE FOR OPERATION UNDER MICROSCOPE  
Filed: September 9, 2003  
Docket: 14109Z  
Dated: February 14, 2007  
JFV:gc


**CONFIDENTIALITY:** The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Grace Colucci.

**BEST AVAILABLE COPY**

P18/REV02

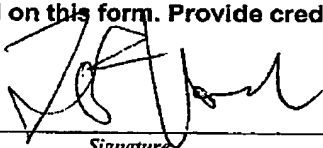
FEB 14 2007

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>14109Z</b>									
Applicant(s): <b>Kenji Hirooka, et al.</b>														
Application No. <b>10/658,477</b>	Filing Date <b>September 9, 2003</b>	Examiner <b>Francis K. Jaworski</b>	Customer No. <b>23389</b>	Group Art Unit <b>3768</b>	Confirmation No. <b>4119</b>									
Invention: <b>ULTRASONIC PROBE FOR OPERATION UNDER MICROSCOPE</b>														
<b>COMMISSIONER FOR PATENTS:</b>														
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.														
<b>CLAIMS AS AMENDED</b>														
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE									
<b>TOTAL CLAIMS</b>	5	20	0	x \$50.00	\$0.00									
<b>INDEP. CLAIMS</b>	1	3	0	x \$200.00	\$0.00									
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00									
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>									
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ In the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>19-1013/SSMP</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.														
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>														
 Signature			Dated: February 14, 2007											
John F. Vodopia Registration No. 36,299  <b>SCULLY, SCOTT, MURPHY &amp; PRESSER, P.C.</b> 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1430, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</td> </tr> <tr> <td colspan="2" style="text-align: center;">(Date)</td> </tr> <tr> <td colspan="2" style="text-align: center;">_____ Signature of Person Mailing Correspondence</td> </tr> <tr> <td colspan="2" style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</td> </tr> </table>				I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1430, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____		(Date)		_____ Signature of Person Mailing Correspondence		_____ Typed or Printed Name of Person Mailing Correspondence	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1430, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____														
(Date)														
_____ Signature of Person Mailing Correspondence														
_____ Typed or Printed Name of Person Mailing Correspondence														
CC:														

P11LARGE/REV10

BEST AVAILABLE COPY

FEB 14 2007

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>14109Z</b>	
Applicant(s): <b>Kenji Hirooka, et al.</b>						
Application No. <b>10/658,477</b>	Filing Date <b>September 9, 2003</b>	Examiner <b>Francis K. Jaworski</b>	Customer No. <b>23389</b>	Group Art Unit <b>3768</b>	Confirmation No. <b>4119</b>	
Invention: <b>ULTRASONIC PROBE FOR OPERATION UNDER MICROSCOPE</b>						
<u>COMMISSIONER FOR PATENTS:</u>						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	5 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	1 -	3 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>19-1013/SSMP</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.						
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 Signature			Dated: <b>February 14, 2007</b>			
<b>John F. Vodopia</b> Registration No. 36,299  <b>SCULLY, SCOTT, MURPHY &amp; PRESSER, P.C.</b> 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;">             I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____              (Date)              _____              Signature of Person Mailing Correspondence              _____              Typed or Printed Name of Person Mailing Correspondence              _____           </div>			
CC:						

P11LARGE/REV10

BEST AVAILABLE COPY

RECEIVED  
CENTRAL FAX CENTER

FEB 14 2007

RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3768

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Kenji Hirooka, et al.

**Examiner:** Francis K. Jaworski

**Serial No:** 10/658,477

**Art Unit:** 3768

**Filed:** September 9, 2003

**Docket:** 14109Z

**For:** ULTRASONIC PROBE FOR  
OPERATION UNDER MICROSCOPE

**Dated:** February 14, 2007

**Confirmation No.:** 4119

Mail Stop After Final  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 CFR §1.116**

Sir:

In response to the final Official Action mailed from the U.S. Patent Office on November 16, 2006, applicants respectfully request reconsideration of the final rejections therein:

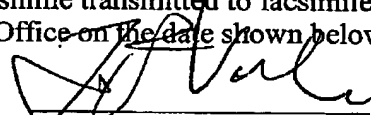
**The listing of the claims begins at page 2 of this Response.**

**The Remarks begin at page 4 of this Response.**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to facsimile number 571-273-8300 at the U.S. Patent and Trademark Office on the date shown below.

Dated: February 14, 2007

  
John F. Vodopia

**BEST AVAILABLE COPY**